

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:20-cr-00128-MR-WCM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEIN AGEE,

Defendant.

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ORDER

THIS MATTER is before the Court *sua sponte*.

On December 16, 2020, the Government filed a Bill of Information against the Defendant Stein Agee, charging him with conspiracy to defraud the United States, in violation of 18 U.S.C. § 371. [Doc. 1]. The parties also filed a written Plea Agreement, pursuant to which the Defendant has agreed to plead guilty to the charge as set forth in the Bill of Information. [Doc. 2]. The Defendant's initial appearance, arraignment and Rule 11 hearing has been scheduled for December 21, 2020. The parties have expressed their consent to the hearing being conducted by way of video teleconference.

In light of the public health considerations caused by the coronavirus pandemic, as described in this Court's Standings Orders, Case No. 3:20-mc-00048-MR, the Court finds that the Defendant's Rule 11 hearing "cannot be


conducted in person without seriously jeopardizing public health and safety.”
Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Pub. L.
No. 116-136, 134 Stat. 281 (Mar. 27, 2020). The Court further finds, under
the unique circumstances of this case, that the Defendant’s Rule 11 hearing
“cannot be further delayed without serious harm to the interests of justice.”
Id. For these reasons, the Court concludes that conducting the Rule 11
hearing in this matter by video teleconference is appropriate.

Accordingly, for the reasons stated herein, and pursuant to the CARES
Act and this Court’s Standing Orders, Case No. 3:20-mc-00048-MR, the
Court therefore concludes that the Defendant’s Rule 11 Hearing may take
place by way of video teleconference.

IT IS, THEREFORE, ORDERED that the above-captioned Defendant’s
Rule 11 Hearing is **ALLOWED** to be conducted by video teleconference.

IT IS SO ORDERED.

Signed: December 18, 2020



Martin Reidinger
Chief United States District Judge

